

BOX TTAB
NO FEE

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD**

| | | |
|--------------------------|---|---------------------------------|
| Ascent Pediatrics, Inc., |) | |
| |) | |
| Opposer, |) | Opposition No. 91158186 |
| |) | |
| v. |) | STIPULATED REQUEST TO EXTEND |
| MacroMed, Incorporated, |) | TIME UNDER 37 C.F.R. § 2.121(d) |
| |) | |
| Applicant. |) | |
| |) | |

Ascent Pediatrics, Inc. requests that the discovery and testimony periods in this matter be extended by thirty (30) days to allow the parties additional time to attempt to settle this matter.

The proposed new schedule is:

| | <u>Current Deadline</u> | <u>New Deadline</u> |
|--|-------------------------|---------------------|
| The period for discovery to close | February 3, 2005 | March 5, 2005 |
| Testimony period for party in position of plaintiff to close (opening thirty days prior thereto) | May 4, 2005 | June 3, 2005 |
| Testimony period for party in position of defendant to close (opening thirty days prior thereto) | July 3, 2005 | August 2, 2005 |
| Rebuttal testimony period to close (opening fifteen days prior thereto) | August 17, 2005 | September 16, 2005 |

This request was agreed to by counsel for, MacroMed, Incorporated.

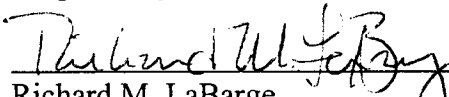


02-07-2005

As required by rule, this request is being submitted in triplicate.

February 3, 2005

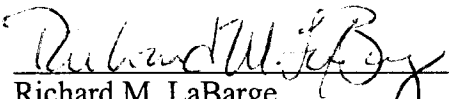
Respectfully submitted,


Richard M. LaBarge
MARSHALL GERSTEIN & BORUN LLP
233 South Wacker Drive
6300 Sears Tower
Chicago, Illinois 60606
Telephone: (312) 474-6300
Fax: (312) 474-0448

On behalf of Ascent Pediatrics, Inc.

CERTIFICATE OF MAILING

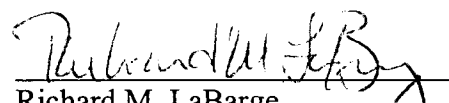
I hereby certify that this paper is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to the Commissioner for Trademarks, Trademark Trial and Appeal Board, P.O. Box 1451, Alexandria, VA 22313-1451, on **February 3, 2005**.


Richard M. LaBarge

CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of February 2005, a true copy of the foregoing Stipulated Request to Extend Time Under 37 C.F.R. § 2.121(d) was served on counsel for Applicant via first-class mail to:

Mr. Jason R. Jones, Esq.
Thorpe North & Western, LLP
P.O. Box 1219
Sandy, UT 84091


Richard M. LaBarge